



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

Friedman Vartolo LLP
85 Broad Street- Suite 501
New York, New York 10004
bankruptcy@friedmanvartolo.com
T: (212) 471-5100
F: (212) 471-5150
Attorneys for Nationstar Mortgage D/B/A Mr. Cooper
as Servicer for New Residential Loan Trust 2017-1

In Re:

Robert McEady

Debtor(s)

Order Filed on November 10, 2021
by Clerk

**U.S. Bankruptcy Court
District of New Jersey**

Case No.: 17-28107-ABA

Chapter: 13


Hearing Date:
October 19, 2021 at 10:00AM

Hon. Judge:
Andrew B. Altenburg, Jr.

CONSENT ORDER RESOLVING MOTION TO VACATE STAY

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: November 10, 2021



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Applicant: Nationstar Mortgage D/B/A Mr. Cooper as Servicer for New Residential Loan
Trust 2017-1

Applicant's Counsel: Friedman Vartolo LLP

Debtor's Counsel: McDowell Law, PC

Property (Collateral): 4011 Hermitage Dr #0, Voorhees, NJ 08043

Relief Sought:

- Relief from Automatic Stay

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☐ The Debtor(s) is/are overdue for _ months, from _____ to _____.
- ☐ The Debtor(s) is/are overdue for _ payments at _____ per month.
- ☐ The Debtor(s) is/are due for _____ in accrued late charges.
- ☐ The Debtor(s) is/are due for \$_____ in attorney's fees and costs.
- ☐ Applicant acknowledges suspense funds in the amount of \$_____.

Total Arrearages Due: \$_____

2. Debtor(s) must cure all post-petition arrearages, as follows:

- ☒ Immediate payment shall be made in the amount of _____.
- ☒ Beginning on **November 1, 2021**, regular monthly mortgage payments shall continue to be made.

☐ Beginning on _____, additional monthly cure payments shall be made in the amount of _____ for _____ months.

☐ The amount of _____ shall be capitalized in the debtor's Chapter 13 plan. Said amount shall be set up on Trustee's ledger as a separate Claim. Debtor(s) shall file a Modified Plan within 10 days from the entry of this Order to account for the additional arrears to be paid to the secured creditor via Chapter 13 Plan and to adjust monthly payments to the Chapter 13 Trustee accordingly.

3. Payments to the Secured Creditor shall be made to the following address:

Payments: Nationstar Mortgage
P.O. Box 619094
Dallas, TX 75261

4. In the event of default:

☒ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post petition delinquency is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ In the event the Debtor(s) converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtor(s) fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay

5. Award of Attorney's Fees:

The Applicant is awarded attorney's fees of \$400.00 and costs of _____.

The fees and costs are payable:

- ☐ Attorney's fees and costs have been included in the Consent Order.
- ☒ Through the Chapter 13 plan. The fees/costs shall be set up as a separate claim to be paid by the Standing Trustee and shall be paid as an administrative claim.
- ☐ To the Secured Creditor within _____ days
- ☐ Attorney's fees are not awarded.
- ☐ Movant reserves its right to file a Post-Petition Fee Notice for fees and costs incurred in connection with the Motion for Relief.

The undersigned hereby consent to the form and entry of the foregoing order.



Thomas G. Egner, Esq.
Attorney for Debtor

/s/ Jonathan Schwalb, Esq.
Jonathan Schwalb, Esq.
Attorney for Secured Creditor

In re:
Robert McEady
Debtor

Case No. 17-28107-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Nov 10, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 12, 2021:

Recip ID	Recipient Name and Address
db	+ Robert McEady, 74 Raintree Dr., Sicklerville, NJ 08081-4922

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 12, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 10, 2021 at the address(es) listed below:

Name	Email Address
Andrew M. Lubin	on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE, SUCCESSOR IN INTEREST TO BANK OF AMERICA, NATIONAL ASSOCIATION AS TRUSTEE, SUCCESSOR BY MERGER ET.AL. bkecf@milsteadlaw.com, alubin@milsteadlaw.com
Bonnie M. Weir	on behalf of Attorney The Weir Law Firm LLC bmw@weirlawfirm.com
Daniel P. Mazo	on behalf of Creditor Santander Bank N.A. dmazo@santander.us, ltorres1@sovereignbank.com
Denise E. Carlon	on behalf of Creditor U.S. Bank National Association as Trustee, Successor in Interest to Bank of America, National Association as Trustee, successor by merger to LaSalle Bank, National Association as Trustee for Washingt dearlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Elizabeth K. Holdren	

District/off: 0312-1

User: admin

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Date Rcvd: Nov 10, 2021

Form ID: pdf903

Total Noticed: 1

on behalf of Creditor Hermitage at Main Street Condominium Association eholdren@hillwallack.com
jhanley@hillwallack.com;hwbknj@hillwallack.com;eholdren@ecf.courtdrive.com

Elizabeth L. Wassall

on behalf of Creditor WELLS FARGO BANK N.A. ewassall@logs.com, njbankruptcynotifications@logs.com;logsecf@logs.com

Harold N. Kaplan

on behalf of Creditor New Residential Mortgage Loan Trust hkaplan@rasnj.com informationathnk@aol.com

Harold N. Kaplan

on behalf of Creditor New Residential Mortgage Loan Trust 2017-1 hkaplan@rasnj.com informationathnk@aol.com

Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa ecfmil@standingtrustee.com summarymail@standingtrustee.com

Isabel C. Balboa

ecfmil@standingtrustee.com summarymail@standingtrustee.com

Jonathan C. Schwalb

on behalf of Creditor Nationstar Mortgage D/B/A Mr. Cooper as servicer for New Residential Mortgage Loan Trust 2017-1
bankruptcy@friedmanvartolo.com

Laura M. Egerman

on behalf of Creditor New Residential Mortgage Loan Trust 2017-1 bkyecf@rasflaw.com
bkyecf@rasflaw.com;legerman@rasnj.com

Mark A. Roney

on behalf of Creditor Hermitage at Main Street Condominium Association mroney@hillwallack.com
kgardiner@HillWallack.com;mroney@ecf.courtdrive.com

Sindi Mncina

on behalf of Creditor New Residential Mortgage Loan Trust 2017-1 smncina@raslg.com

Stuart A. Platt

on behalf of Creditor Borough of Stratford platt@theplattlawgroup.com

Thomas G. Egner

on behalf of Debtor Robert McEady tegner@mcdowelllegal.com
tcuccuini@mcdowelllegal.com;Lwood@mcdowelllegal.com;kgresh@mcdowelllegal.com;kbrocious@mcdowelllegal.com;djamis
on@mcdowelllegal.com;cgetz@mcdowelllegal.com;egnertr62202@notify.bestcase.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 17